

## Article - Transportation

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§15–304.

(a) Except as provided in subsection (b) of this section, a person may not be licensed under this subtitle unless:

(1) The business to be conducted under the license is the only or principal business conducted from the fixed location specified in the application;

(2) That business is conducted from a building that is adequate and appropriate for the sale of the vehicles that may be sold under the license; and

(3) That business either:

(i) Maintains and operates an automotive repair facility equipped for reasonably adequate and proper servicing of the vehicles to be sold by it; or

(ii) Has an existing contract, approved by the Administration, that requires the contractor to service, at a reasonably convenient location, the vehicles to be sold by the business.

(b) (1) As to trailers, semitrailers, motorcycles, Class C (funeral and ambulance) vehicles, or emergency vehicles as defined in § 11–118(2), (5), and (7) of this article, the sale of these vehicles need not be the only or principal business conducted from the fixed location, but shall be subject to any reasonable location requirements determined by the Administration by rule or regulation.

(2) A wholesale dealer may be licensed under this subtitle regardless of whether the wholesale dealer meets the requirements of subsection (a)(1) and (3) of this section, but a wholesale dealer shall be subject to any reasonable location requirements determined by the Administration by rule or regulation.

(c) Notwithstanding the provisions of this section:

(1) A new vehicle dealer, or a licensed vehicle salesman who is employed by the dealer, may participate in 2 annual vehicle shows for each dealer location.

(2) A display or exhibit of vehicles provided by a vehicle manufacturer is not a vehicle show under this section if buyers' orders are not executed and deposits are not accepted.

(3) (i) A new vehicle dealer franchised to sell Class M motor homes or Class G trailers, or a licensed salesman who is employed by the dealer, may participate in more than 2 annual vehicle shows, if the shows are limited to Class M motor homes or Class G trailers.

(ii) A new vehicle dealer franchised to sell motorcycles, or a licensed salesman who is employed by the dealer, may participate in more than 2 annual vehicle shows.

(d) A vehicle dealer or licensed vehicle salesman listed in subsection (c) of this section may participate in a vehicle show if:

(1) The dealer holds a valid license issued under this title; and

(2) At least 60 days before the vehicle show, an application is filed with the Administration, for approval by the Administration, that contains:

(i) A list of the names and business addresses of participating dealers to the extent known;

(ii) The location of the vehicle show;

(iii) The specific dates on which the vehicle show will be held; and

(iv) Other reasonable information required by the Administration; and

(3) The vehicle show does not exceed 10 consecutive days and, except for motorcycle shows, is restricted to new vehicles only.

(e) (1) This subsection does not apply to a licensed motorcycle dealer or a licensed motorcycle salesman who is employed by the dealer.

(2) A licensed dealer, or a licensed vehicle salesman who is employed by the dealer, who participates in a vehicle show may execute a buyer's order and accept a deposit as provided in paragraph (3) of this subsection.

(3) A licensed dealer may not accept a deposit that:

(i) For an order for any vehicle, except a Class M motor home, exceeds 5 percent of the cost of the vehicle; or

(ii) For an order of a Class M motor home, exceeds 10 percent of the cost of the motor home.

(4) Except as otherwise provided in paragraph (2) of this subsection, a licensed dealer, or a licensed vehicle salesman who is employed by the dealer, shall conduct activities involved in a vehicle sale, including the completion of the sales contract, the issuance of temporary registration plates and a temporary registration certificate, and delivery of the vehicle, at the dealer's fixed location as shown in the dealer's application for the license.

(f) A licensed motorcycle dealer, or a licensed salesman who is employed at a vehicle show by the dealer, may conduct all activities involved in a motorcycle sale, including executing a buyer's order, accepting a deposit of any amount, completing the sales contract, issuing temporary registration plates and a temporary registration certificate, and delivery of the motorcycle.

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